IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1635 OF 2006

Angela Minocha and anr. ... Petitioners

Versus

University of Bombay and 2 Ors. ... Respondents

Mr. Asif Ali Siddique for Petitioner.

Mr. C.M. Jha for R. Nos. 1 and 2.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED: DECEMBER 05, 2006

P.C.:

. Rule. Heard forthwith.

. We had at the interim stage passed an order on 20.4.2006 directing the Petitioner to appear for the examination. The respondents refused to allow the Petitioner to appear for examination on the ground that they had not passed 3rd semester. Had they had passed the 3rd semester, they could have been admitted to the 6th semester.

. From the record we find that the examination for the 3rd examination was to be held in October, 2005. That examination was not held during that period but was held some time in January/February, 2006 and the results declared. The 6th semester commenced in November, 2005 and the examinations were held in

March, 2006. The Petitioners had been admitted and have kept terms for the said semester.

. Had the University held the examination on time and declared the results, the Petitioner could have joined as the Petitioners have passed 3rd semester, and could have legally kept terms for November, 2005, in which event the objection raised by the university would not survive.

. Considering the fact that the Petitioner has passed the 3rd semester and had kept terms for the 6th semester and that the delay in holding the examination and delaying hte results, we see no reason as to why the Petition as filed should not be allowed.

. In the light of that rule made absolute in terms of prayer Clause (a). Respondents are directed to release the results of the Petitioners. Rule made absolute accordingly.

(ANOOP V. MOHTA,J.) **(F.I.REBELLO, J.)**